

How to Ask for a Contempt Order

(If the other party does not obey a Court order)

These instructions explain how to ask the Court to *make* the other party obey a Court order.

When you ask for a Contempt Order, the other party may have the right to a public defender. That means the hearing could be postponed for several weeks.

There may be faster ways to get the other party to obey a Court order. A lawyer can tell you about your options.

Talk to a lawyer, if you can.

These instructions are legal *information*, not legal *advice*. It's a good idea to talk to a lawyer before you file any forms. You can contact the King County Bar Association to ask for a referral. If you cannot afford a lawyer, you can:

- Find a lawyer to help you with the *most difficult* parts of your case, such as reviewing your forms, explaining how to get ready for court and confirming this is the best legal action for your case. This will cost less than hiring a lawyer for your whole case.
- Ask the Family Law Facilitators' office for a list of low-cost and free legal resources.

Step 1: Fill out these forms:

All of these forms can be downloaded at www.courts.wa.gov/forms/

| Name of Form | Form No. | Notes |
|---|----------------|--|
| Motion and Declaration for an Order to Show Cause re: Contempt/Judgment | DRPSCU 05.0100 | |
| Declaration | DRPSCU 01.0100 | Attach a copy of the Order that the other party disobeyed. If the Order is from another county, talk to a lawyer first. |
| Order to Show Cause re: Contempt/Judgment | DRPSCU 05.0150 | See Step 2 for information on how to choose a hearing date. |
| Return of Service | DRPSCU 01.0250 | This is for the server to fill out after copies of the court papers are served to the other party |
| Order on Show Cause re: Contempt/Judgment | DRPSCU 05.0200 | Fill out the way you want the Commissioner to decide. Write " PROPOSED " at the top of each copy, but not the original. |
| Sealed Financial Documents | DRPSCU 09.0220 | Only use if the other party disobeyed an order about money. |

Step 2: How to choose a court date.

Date: Choose any weekday (except a court holiday) that is at least 14 calendar days from the date you plan to have the other party served. If your case is sealed, it may be noted on any court day for Seattle and on any day **except Tuesday** for Kent.

Time: 9:00 am (or 1:30 pm if your file is sealed).

Place: Seattle Courthouse, 516 Third Ave, Seattle, WA 98104 (Seattle cases).
Maleng Regional Justice Center, 401 Fourth Ave N., Kent, WA 98032 (Kent cases).

Room: W-291 (Seattle cases); 1F (Kent cases)



How many copies do I need?

- **Original** set to file with the Clerk's Office.
- Copy **1** will go to the Commissioner for your court hearing.
- Copy **2** is to serve the other party.
- Copy **3** you will keep for your records.
- Make a **4th** copy for the other party's attorney (if they have one).

Step 3: Take the originals of your completed forms and copies to the Clerk's Office.

- Pay the processing fee and fill out the Cover Sheet that the Clerk will give you.
- Give the clerk the originals of all papers from Step 1 **except** the *Order on Show Cause re: Contempt/Judgment* which is your proposed order.
- A Clerk will have the Commissioner sign your *Order to Show Cause re: Contempt/Judgment*, and return a copy to you.

Step 4: Deliver Commissioner's Copy

The Commissioner's copy is a set of all forms from Step 1 including the "Proposed" order you would like the court to sign at the court date you have selected. Take this copy to the Family Law window and turn it in at least **3 court days by 12 noon** before your hearing.

Copy the words below in the upper right hand corner on the first page only of the set of forms you are delivering to the Commissioner.

Working Papers

Family Law Motions

Hearing date: _____

Hearing time: _____

Presented by (your name): _____

Step 5: Have the other party served.

The other party must be served a copy of all of your court papers (except the *Return of Service*) at least **14 days** before the hearing. If the other party has a lawyer, make an extra copy, and serve the lawyer the same papers as the other party.

How to Serve:

- Someone over 18 – **not you** – must serve (give) the other party copies of your court papers.
- After serving, the server fills out the *Return of Service* form (DRPSCU 01.250) and gives it to you. (If the other party is personally served outside Washington State, fill out and file form DRPSCU 01.180 also.)
- File the original *Return of Service* with the Clerk. Keep a copy. You will need it at your hearing.

If you have questions about serving, ask for facilitator instruction **S-1**.

Step 6: Confirm Your Hearing.



Your hearing will be cancelled if you don't confirm your hearing and deliver the copies to the Commissioner on time.

You can confirm by phone, in person or online. Here's how:

| | |
|---|---|
| Call or come in person (206)-477-1523 (Seattle) Room W-292 (206)-477-2750 (Kent) Room A1222 | 3 court days before your hearing between 2:30 pm – 4:15 pm <i>or</i> 2 court days before your hearing between 8:30 am – 12:00 pm. <i>When you call, give your case number, date and time of hearing.</i> <i>The Clerk will give you a confirmation number.</i> |
| Online: https://confirm.kingcounty.gov/ | You can confirm online starting at noon 3 court days before the hearing until noon of the 2nd court day before your hearing. You must give your email address, phone number, and information to identify your case. If you don't receive a confirmation email you must call one of the confirmation numbers above |

If the other party chooses to respond to your motion, he or she must do so by 12 noon 4 court days before the hearing. If you wish to reply to the other party's response you must do so by **12 noon 2 court days** before the hearing (ask for Facilitator Instruction F-6).

Step 7: Go to Your Hearing.

- Arrive at the courthouse at least **30 minutes early!** You will need time to go through security.
- Go to the Family Law window at the courthouse to check in.
- Take your original orders and all copies of the forms you filed. Don't forget your copy of the *Return of Service!*
- If the Court approves the Order you asked for, give it to the Clerk. If you need copies of your Order right away, tell the Clerk.